

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

LESLIE JOE NANCE,

Plaintiff

v.

Civil Action No. 2:02-0266

KENTUCKY NATIONAL
INSURANCE COMPANY

Defendant

MEMORANDUM ORDER

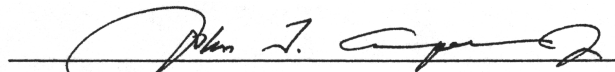
This matter is before the court on defendant's motion, filed September 6, 2005, to permit the depositions of William Tiano and Guy Bucci. In the motion, defendant additionally requests the exclusion of plaintiff's remaining "general business practice" witnesses on the ground that plaintiff's counsel did not provide dates on which he was available for the depositions of those witnesses.

On September 7, 2005, the court conducted a telephonic scheduling and status conference with Gregory H. Schillace, counsel for defendant, and William L. Mundy, counsel for plaintiff, at which conference the parties agreed to arrange the necessary depositions for October 6 and 7, 2005. Inasmuch as it

appears that this matter has been resolved, it is ORDERED that defendant's motion be, and it hereby is, denied without prejudice.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record.

DATED: September 26, 2005



John T. Copenhaver, Jr.
United States District Judge